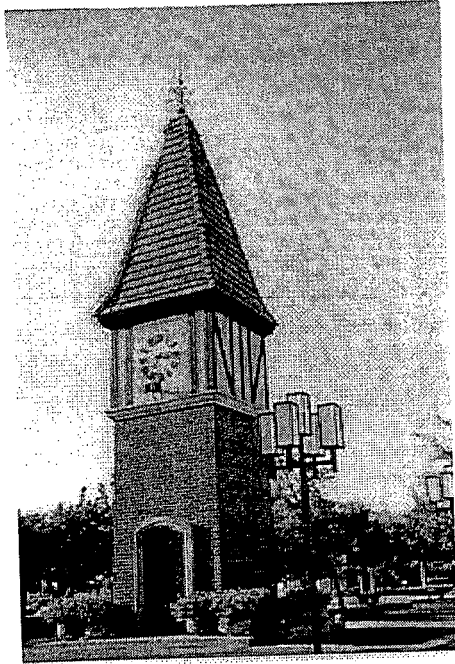


*Original Packet*



# **CITY COUNCIL REDEVELOPMENT AGENCY AGENDA**

**City of Westminster  
Regular Meeting  
November 17, 2004**

**6:00 p.m. – Council Conference Room  
7:00 p.m. – Council Chambers**

**8200 Westminster Boulevard  
Westminster, California 92683**

**MARGIE L. RICE  
MAYOR**

**ANDY QUACH  
Mayor Pro Tem**

**FRANK G. FRY  
Council Member**

**KERMIT MARSH  
Council Member**

**RUSSELL C. PARIS  
Council Member**

**AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I)

## **GENERAL INFORMATION**

### **MEETINGS**

Regular Meetings of the City Council/Redevelopment Agency are held the first and third Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible. Adjourned Regular Meetings (Study Sessions) are tentatively held on the Monday following the first Wednesday of the month at 6:00 p.m.

### **AGENDA INFORMATION**

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

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### **PUBLIC COMMENTS**

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Public Hearing portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

**To address the City Council/Redevelopment Agency on any matter**, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

### **AGENDA ON THE INTERNET:**

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

### **TELEVISED MEETING SCHEDULE**

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

# **AGENDA**

November 17, 2004

**6:00 P.M.**  
**CLOSED SESSION**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY  
DURING ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

## **CALL TO ORDER:**

## **ROLL CALL**

PRESENT:

ABSENT:

## **CLOSED SESSION:**

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case); and
- 2) Conference with Labor Negotiators pursuant to Government Code Section 54957.6: Designated Representatives: City Manager Vangie Schock and Labor Negotiator Dave Larsen; Employee Organization: Westminster Municipal Employees' Association (WMEA).

## **RECESS:**

# **AGENDA**

November 17, 2004

**7:00 P.M.**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

## **RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**ROLL CALL:** RICE, QUACH, FRY, MARSH, PARIS

**PRESENT:**

**ABSENT:**

**SALUTE TO FLAG:** Council Member Fry

**INVOCATION:**

## **REPORT OUT OF CLOSED SESSION:**

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B)).

## **SPECIAL PRESENTATIONS:**

- A. Presentation of check to the City from WalMart
- B. Westminster Chamber of Commerce - Report on Upcoming Events

# **AGENDA**

November 17, 2004

## **1. CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

### **APPROVAL OF MINUTES**

- 1.1 (City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of October 19, 2004 and Regular Meeting of the City Council/Redevelopment Agency of November 3, 2004. (Marian Contreras)**

RECOMMENDATION: Approve.

### **ROUTINE MATTERS**

- 1.2 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

RECOMMENDATION: Approve.

- 1.3 Accept donation from WalMart for Police Department technology (Andy Hall) 103-11**

RECOMMENDATION: Staff recommends that the City Council accept a donation from WalMart in the amount of \$5,500.00 and allocate \$5,500.00 to Capital Project No. 31002-042800.

- 1.4 Award of contract for street improvements on Newland Street from Edinger Avenue to Heil Avenue, Project No. 51502-031023, Federal Aid #STPL-5338(028) (Marwan Youssef) 502-01**

RECOMMENDATION: Staff recommends that the City Council approve the award of contract to the low qualified bidder in the amount of \$281,471.00 to All American Asphalt; that all other bids be rejected; and authorize the City Manager to execute the contract on behalf of the City.

# AGENDA

November 17, 2004

## 1. CONSENT CALENDAR (Continued)

- 1.5 (City/Agency) Contractual Services Agreement with UCMI, Inc. to provide building inspection services during construction of the Westminster Rose Cultural Center. (Don Anderson) 502-21

RECOMMENDATION: Staff recommends that the City Council/Agency Board approve a contractual professional services agreement with UCMI, Inc. in an amount not to exceed \$17,000.00 to provide inspection services for the remainder of this fiscal year, and authorize the City Manager/Executive Director to execute the agreement on behalf of the City/Agency.

### ADMINISTRATIVE ITEMS

- 1.6 Special Event Permit application from the Little Saigon Foundation to hold their 12<sup>th</sup> annual Christmas Wish Program on Saturday, December 18, 2004 between the hours of 9:00 a.m. and 1:00 p.m. for 2,000 attendees at the Civic Center Sunken Gardens, 8200 Westminster Boulevard (Penny Loomer) 213-02 (LI)

RECOMMENDATION: Staff recommends that the City Council approve the Special Event Permit application subject to the conditions attached to the staff report.

### WARRANT REGISTER

- 1.7 (City Council/Redevelopment Agency) Warrant Register dated October 27 through November 9, 2004 (Steve Klotzsche) 105-09

RECOMMENDATION: Approve.

### INFORMATION AND REPORTS

- 1.8 Minutes of the Planning Commission meeting held on October 13, 2004 (Don Anderson) 104-11

RECOMMENDATION: Receive and file.

- 1.9 Minutes of the Traffic Commission meeting held on October 5, 2004 (Marwan Youssef) 104-12

RECOMMENDATION: Receive and file.

- 1.10 Treasurer's Report – September 2004 (Steve Klotzsche) 105-08

RECOMMENDATION: Receive and file.

### END OF CONSENT CALENDAR

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# **AGENDA**

November 17, 2004

## **2. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW**

### **2.1 The actions of the Planning Commission meeting held on November 10, 2004 (Don Anderson)**

**RECOMMENDATION:** That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting, of November 10, 2004.

- 1) 15440 Beach Boulevard (Case 2004-59, Conditional Use Permit) for sale of alcoholic beverage for off-site consumption in conjunction with a new supermarket called Westminster Superstore (the former K-mart building)

## **3. PUBLIC HEARINGS**

**ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS:** After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed time limits.

**NOTE:** If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

# AGENDA

November 17, 2004

## 3. PUBLIC HEARINGS

201-00  
CN 2004-28

### 3.1 PLANNING CASE 2004-28; LOCATION: 7581 & 7591 WYOMING STREET; APPLICANT: PETER QUANG; PROPERTY OWNERS: MR. FRANCISCO DIAZ, FOR 7581 WYOMING STREET, AND WYOMING PROPERTY, LLC, FOR 7591 WYOMING STREET (Don Anderson)

Time set for a public hearing to consider a request for approval of a proposed development to construct a twenty-unit, two-story, apartment complex. The entitlements include approval of a Zone Change from CR-PD (Commercial Restricted-Planned Development) to R-5 (multiple units 19-24 dwelling units per acre), Tentative Parcel Map to consolidate the existing four parcels into two parcels, Site Plan Review to assess the proposed site layout, a Design Review to assess the design and overall appearance of the development, and adoption of Mitigated Negative Declaration MND 04-05.

RECOMMENDATION: The Planning Commission recommends that the City Council:

- 1) Adopt Resolution No. 3880 entitled "A Resolution of the City Council of Westminster adopting Mitigated Negative Declaration MND 04-05 and approving Case No. 2004-28 [Zone Change, Tentative Parcel Map, Site Plan Review, & Design Review] pertaining to property located at 7581 & 7591 Wyoming Street" and waive further reading; and
- 2) Introduce Ordinance No.2378 entitled, "An Ordinance of the City Council of the City of Westminster amending Sectional District Map 2-5-11 of Municipal Code Section 17.06.070 to change the zoning district designation for property located at 7581-7591 Wyoming Street from CR-PD (Restricted Commercial with Planned Development Overlay) to R5 (Multiple Units, 19-24 units/acre)", and waive further reading.



# AGENDA

November 17, 2004

## 3. PUBLIC HEARINGS (Continued)

201-00  
CN 2004-50

### 3.2 PLANNING CASE 2004-50; LOCATION: 7172 PARK STREET; APPLICANT: ANDREW PATTERSON

Time set for a public hearing to consider a request for approval of a proposed development in order to construct twelve new detached residential units at 7172 Park Street. The entitlements include approval of a Zone Change from R2 (Multiple Units, 08-12 units/acre) to R2-PD (Multiple Units, 08-12 units/ac with the Planned Development Overlay), Tentative Tract Map, Site Plan, Design Review and certification of the Mitigated Negative Declaration MND 04-04.

RECOMMENDATION: The Planning Commission recommends that the City Council:

- 1) Adopt Resolution No. 3879 entitled, "A Resolution of the City Council of the City of Westminster adopting Mitigated Negative Declaration MND 04-04, and approving Case No. 2004-50 (Zone Change/ Tentative Tract Map/ Site Plan/ Design Review) pertaining to the construction of 12 detached residential units at 7172 Park Street." and waive further reading; and
- 2) Introduce Ordinance No. 2377 entitled, "An Ordinance of the City Council of Westminster amending Sectional District Map 11-5-11 of Municipal Code Section 17.06.070 to change the zoning for the property located at 7172 Park Street from R-2 (Multiple Units, 08-12 units/acre) to R2-PD (Multiple Units, 08-12 units/ac with a Planned Development Overlay)", and waive further reading.

## 4. ORAL COMMUNICATIONS

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

## 5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

### 5.1 Council/Agency Member Items

# AGENDA

November 17, 2004

## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

### 6.1 Holiday Decorating Contest – Judge (Diana Dobbert) 103-03 ? 701-01

RECOMMENDATION: Staff recommends that the City Council designate an appointee to serve as a judge for the Thirteenth Annual Holiday Decorating Contest scheduled for Thursday, December 9, 2004 at 5:00 p.m.

### 6.2 Increase in purchase order with American Medical Response (AMR) for FY 2004-05 (Steve Klotzsche) , 502-01

RECOMMENDATION: Staff recommends that the City Council:

- 1) Authorize a \$32,813.00 increase in the purchase order for ambulance staffing for the City of Westminster ambulance transportation program from American Medical Response (AMR); and
- 2) Approve the appropriation of \$32,813.00 from fund balance to Account No. 44000-43090 (Ambulance Services – Contractual).

## 7. WRITTEN COMMUNICATIONS (Public) - None

## 8. LEGISLATIVE ITEMS

### 8.1 Ordinance No. 2376 (2<sup>nd</sup> Reading) - Zone change for parcels of land located at 15152-15232 Moran Street 202-03

THIS WAS CONTINUED TO 11/21 MTG.

RECOMMENDATION: Staff recommends that the City Council:

- 1) Reconsider the action taken at the November 3, 2004 meeting; and
- 2) Adopt Ordinance No. 2376, entitled, "An Ordinance of The City Council of the City of Westminster amending the Westminster Municipal Code by amending Section 17.06.070 thereof to provide for change of zoning for parcels of land located at 15152-15232 Moran Street from CM (Commercial Industrial) to R-5-P (Multiple units with parking overlay zone)" and waive further reading.

# AGENDA

November 17, 2004

9. COMMISSION AND COMMITTEE ITEMS - None

10. COUNCIL/AGENCY ADJOURNMENT

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.

  
Marian Contreras, City Clerk/Agency Secretary